

**STATE OF ALABAMA BOARD OF LICENSURE
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

IN THE MATTER OF:

William C. Brett, PE
100 Plantation Court
Daphne, AL 36526

Respondent



Case No. 2018-26-B

CONSENT ORDER

William C. Brett, a licensed professional engineer (hereinafter referred to as Respondent) hereby stipulates and agrees, subject to approval of the Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the Board) as follows:

STIPULATED FACTS

Respondent stipulates on July 14, 1976, the Board issued him certificate of licensure (number 11297) authorizing him to practice as a professional engineer in the State of Alabama.

Respondent stipulates on March 29, 2018, he was sent a notice via email of his selection for the professional development hours (PDH) audit and instructed to provide the documents supporting the PDH he reported on his 2018-2019 professional engineer license renewal application by April 30, 2018. Respondent further stipulates he did not respond.

Respondent stipulates on June 13, 2018, he was sent a second notice via email of his selection for the professional PDH audit and instructed to provide the documents supporting the PDH he reported on his 2018-2019 professional engineer license renewal application by June 20, 2018.

Respondent stipulates on June 13, 2018, he submitted a response that indicated he could not provide any documentation to support the required 30 PDH hours he reported on his 2018-2019 license renewal application.

Respondent stipulates on September 6, 2018, he submitted an email request to the Board office that stated he wished to surrender his Alabama professional engineer license.

STIPULATED CONCLUSIONS OF LAW

Respondent admits he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board.

Respondent stipulates his conduct as set forth in the foregoing “Stipulated Facts” constitutes violations of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11(a)(2) and the Rules and Regulations of the Board’s Administrative Code § 330-X-13-.02(12), § 330-X-16-.06(4) and § 330-X-2-.01(16).

Respondent stipulates his conduct as set forth in the “Stipulated Facts” is a violation of those statutes set forth above, and it is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

STIPULATED DISPOSITION

Respondent agrees he will not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama, or the Rules and Regulations of the Administrative Code of the Board and the Rules of Professional Conduct promulgated together.

Respondent understands this Consent Order and subsequent Final Order will become a matter of public record. Respondent further understands this information will be placed on the Board's website, in its newsletter, and posted to the National Council of Examiners for Engineers and Surveyors (NCEES) Enforcement Exchange.

Respondent understands he cannot voluntarily surrender his State of Alabama professional engineer license to avoid disciplinary action.

Respondent understands he cannot surrender his professional engineer license to avoid a disciplinary action.

Respondent agrees as part of this disciplinary action he will surrender his State of Alabama professional engineer license, and that he will not seek reissuance of the license. Respondent stipulates that the surrender of his professional engineer license has the same effect as revocation.

Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until a Final Order based upon it is rendered by the Board.

Respondent agrees to comply with the terms of this Consent Order and understands failure to comply with the terms of the Consent Order may result in additional charges or discipline.

Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands that this discussion will take place at a regularly scheduled meeting of the Board.

Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact-finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain judicial review of the Board's decision in said formal hearing but expressly waives these rights with execution of this Consent Order and Final Order of the Board.

Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the Final Order of the Board incorporating said Consent Order.

Respondent, for the purpose of avoiding further administrative action with respect to this cause executes this Consent Order. It is agreed that presentation to and consideration of the

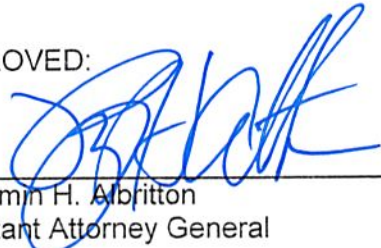
Consent Order by the Board requires certain factual information related to this matter be disclosed to the Board members. Should the Consent Order not be accepted by the Board, it is therefore expressly agreed that the reviewing, and consideration of this Consent Order, and the information provided to the Board for their review, shall not unfairly prejudice the Board and shall in no way act to disqualify any Board member from any further participation in this matter through its resolution, including, but not limited to, any contested hearing on this matter should one be necessary. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

SIGNED this the 24th day of OCTOBER, 2018



William C. Brett, PE

APPROVED:



Benjamin H. Albritton
Assistant Attorney General

STATE OF ALABAMA BOARD OF LICENSURE
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IN THE MATTER OF:)

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Respondent)
_____)



Case No. 2018-26-B

FINAL ORDER

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the consent order signed by William C. Brett, professional engineer, in which he stipulated he violated the Code of Alabama 1975, § 34-11-11(a)(2), and the Rules and Regulations of the Board's Administrative Code § 330-X-13-.02(12) and § 330-X-16-.06(4) and § 330-X-2-.01(16) hereby adopts the Consent Order and issues this Final Order.

The Consent Order and Final Order take immediate effect upon the signing of this Final Order and the Respondent is **ORDERED** to abide by the Consent Order and Final Order as approved by the Alabama Board of Licensure for Professional Engineers and Land Surveyors.

ENTERED this the 14th day of November 2018.



Nathan G. Johnson



M. Helen Adams-Morales



Marc S. Barter

RECUSED

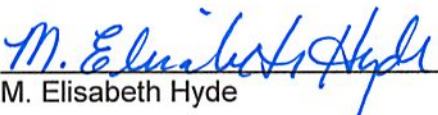
Joseph F. Breighner Jr.



Randall D. Whorton



Richard G. Grace



M. Elisabeth Hyde